

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF OHIO**

IN RE:) CASE NO. 13-17237
)
GAIL and GERALD WAITE) CHAPTER 7 CASE
)
Debtor(s)) JUDGE: ARTHUR I. HARRIS
)

MOTION TO TURN OVER FUNDS

Now comes Steven S. Davis, Chapter 7 Trustee, and hereby moves this Honorable Court for an order upon the debtor(s) to turnover certain non-exempt assets which are property of the within Bankruptcy Estate, as set forth herein:

1. Movant is the duly qualified appointed and acting Trustee herein.
2. Pro-rated to the date of filing, the debtor, Gail Waite, was owed \$964.00 in total tax refunds. The debtor also had \$2,874.00 in cash on hand/bank accounts as of the date of filing.
3. The debtor is entitled to claim \$1,675. 00 as exempt.
4. The aforesaid funds are property of this estate pursuant to 11 U.S.C.§541 and subject to turnover pursuant to 11 U.S.C. §542.

WHEREFORE, Movant prays for an order upon the debtor(s) to turn over the sum of \$2,163.00, and for such other and further relief to which he may be entitled in law or equity.

Respectfully Submitted,

/s/ Steven S. Davis
STEVEN S. DAVIS, Trustee
OSB# 0005789
1370 Ontario Street, #450
Cleveland, Ohio 44113
(216) 781-7272 Fax No. (216) 781-3312
Email: sdavis@daviscolpa.com

CERTIFICATE OF SERVICE

I certify that on this 25th day of March, 2014, a true and correct copy of the Motion to Turn Over was served, via ECF, upon:

Ken Rubenstein, attorney for debtor, at rubamatic@roadrunner.com
United States Trustee at (Registered [address](mailto:address@usdoj.gov))@usdoj.gov

and, by regular U.S. mail, to

Gail and Gerald Waite
6640 Tupelo Drive
Bedford Hts. OH 44146

/s/ Steven S. Davis

STEVEN S. DAVIS